

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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FRANK PRATT,

Plaintiff,

11 Civ. 6167 (JGK)

- against -

MEMORANDUM OPINION AND  
ORDER

OFFICER BEHARI,

Defendant.

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JOHN G. KOELTL, District Judge:

The Court has received the attached letter, which it forwards to the Plaintiff.


The defendant asserts that the plaintiff is no longer incarcerated, and that the plaintiff has failed to update the Court or the defendant with his contact information. The defendant asserts that all of the documents that the defendant has sent to the plaintiff have been returned as undelivered.

"The case cannot proceed without a current address for the plaintiff and the failure to maintain such an address with the Court is a ground for failure to prosecute." Laney v. Ramirez, No. 10 Civ. 9063, 2011 WL 6594491, at \*1 (S.D.N.Y. Dec. 22, 2011) (collecting cases); see generally LeSane v. Hall's Sec. Analyst, Inc., 239 F.3d 206, 209 (2d Cir. 2001) ("[I]t is unquestioned that Rule 41(b) [of the Federal Rules of Civil Procedure] also gives the district court authority to dismiss a plaintiff's case . . . for failure to prosecute.").

The plaintiff should provide the Court with an update as to his address by April 11, 2012. If the plaintiff fails to update his address by that time or otherwise explain his failure to update his address, the plaintiff's case will be dismissed without prejudice for failure to prosecute.

SO ORDERED.

Dated: New York, New York  
March 23, 2011

  
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John G. Koeltl  
United States District Judge